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6				√	PRESIDENT -	/	CONSENT ADOPT	. 1
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A	dopting the re	☐ RESOLUTION(S) evised Conflict of Interes	□ ORDINA t Code for Gene			sreement(s)	☐ DEED(S)	
11A. STA	FF RECOMMENDATION	NȘ:			·- <u>-</u>			
Ap	prove the rev	ised Conflict of Interest	Code and appen	dices	as submitted.			:
12. SPEC	IAL CONDITIONS:							
CC	UNCIL DISTR	ICT(S): All						
		EA(S): Citywide						
	_	AL IMPACT: N /A						
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EXECUTIVE SUMMARY SHEET CITY OF SAN DIEGO

DATE ISSUED:

REPORT NO:

ATTENTION:

City Council

ORIGINATING DEPARTMENT: General Services

SUBJECT:

Biennial Review: Conflict of Interest Codes

COUNCIL DISTRICT(S):

N/A

CONTACT/PHONE NUMBER:

Kristy Reeser, 525-8553

REQUESTED ACTION: Resolution

STAFF RECOMMENDATION: Pass the Resolution

EXECUTIVE SUMMARY: This revision is intended to conform to Government Code Section 87305.5 requiring a biennial review and update of local conflict of interest codes as reflected in City Council Resolution No. R-303718 adopted on May 20, 2008. The General Services Department code has been revised to reflect the restructuring of General Services for Fiscal Year 2009. Changes to division titles include Equipment Division becoming Fleet Services Division and Facilities Maintenance Division becoming simply Facilities Division.

With recent restructuring, Communications Division was added to General Services. As as result the following positions were added to General Services Department: Communications Division Deputy Director, Senior Communications Engineer, and Senior Communications Technician Supervisor. Due to other restructuring, the positions of Assistant Department Director, Project Officer II, Information Systems Analyst IV, and Assistant/Associate Civil Engineer have also been added to Appendix A. The following positions have been removed because they no longer exist in the department or do not serve in their previous capacity: Building Services Supervisor, Offset Press Supervisor, Graphic Design Supervisor, and Multimedia Production Coordinator. No changes were made to the disclosure categories contained in Appendix B.

FISCAL CONSIDERATIONS: N/A

PREVIOUS COUNCIL and/or COMMITTEE ACTION: N/A

COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS: N/A

KEY STAKEHOLDERS AND PROJECTED IMPACTS: N/A

Mario X. Šierra

General Services Department Director

David Jarrell

Deputy Chief of Public Works

2008 Local Agency Biennial Notice

Name of Agend	cy: <u>City of San Diego, General Service</u>	es Department		
Mailing Addres	s: 1970 B Street, San Diego, Californ	nia 92102		
Contact Person	n: <u>Kristy Reeser</u>	Kristy Reeser		
Phone Number	r: <u>619-525-8553</u>	Fax Number: 619-525-8573		
E-mail:	kmunro@sandiego.gov			
This agency ha	as reviewed its conflict of interest code and	d has determined that:		
<u>X</u>	The code needs to be amended and the fo	ollowing amendments are necessary:		
•	(Check all that apply)			
<u>_X</u>	Include new positions (including consultan	its) which must be designated (App. A)		
	Delete positions that manage public invest positions.	tments from the list of designated		
!	Revise disclosure categories (App. B)			
	Revise the titles of existing positions (App.	. A)		
<u>X</u>	Delete the titles of positions that have bee	n abolished (App. A)		
<u>X</u>	Öther			
1	 Summary of documented dispute a 	and resolution		
	No amendments are necessary. The ager positions that make or participate in the midisclosure categories assigned to those po- disclosure of all investments, business pos- sources of income which may foreseeably made by those holding the designated pos- provisions required by Government Code	aking of governmental decisions; the ositions accurately require the sitions, interests in real property and be affected materially by the decisions sitions; and the code includes all other		
	- June	8/21/08		
Signature	of Chief Executive Officer	Date		

You must complete this report regardless of how recently your code was approved or amended.

Please return this report by August 22, 2008, to:

Denise Jenkins, Elections Analyst Office of the City Clerk 202 C Street, MS 2A, San Diego, CA 92101

CERTIFICATION

The foregoing amendment to the Conflict of Interest
Code was prepared by the City of San Diego's
General Services Department after a fair opportunity
was offered to the members of the department to
present their views.

For Mario X. Sierra

General Services Director

8/20/08

Date

APPENDIX A DESIGNATED POSITIONS

<u>POSITION</u>	<u>DUTIES</u>	CATEGORY			
ADMINISTRATION					
Director	Administers the General Services Department.	1			
Assistant Director	Assists the Director in administering the General Services Department.	1			
Supervising Management Analyst	Supervises analyses and administers revenue, cost, and budgetary data,	<u>2</u>			
Information Systems Analyst IV	Reviews and evaluates requests to automate manual procedures; defines user requirements, prepares cost/benefit analysis for new systems to be developed; justifies and prioritizes new systems development for software and hardware; provides technical interpretation to department staff and private vendors, including consultants as described for department; prepares, monitors, and analyzes the department's data processing budget.	2			
	COMMUNICATIONS				
Deputy Director	Prepares and administers budgets and manages division activities; approves and/or recommends financial decisions regarding construction/engineering/consultant contracts, procurement of materials and equipment.	1			
Senior Communications Engineer .	Prepares, recommends, or approves procurement of materials and equipment.	<u>2</u>			
Senior Communications Technician Supervisor	Prepares, recommends, or approves procurement of materials and equipment.	<u>2</u>			
EQUIPMENT FLEET SERVICES DIVISION					
Deputy Director	Prepares and administers budgets and manages division activities; approves and/or recommends financial decisions regarding construction/engineering/consultant contracts, procurement of materials and equipment.	. 1			

Fleet Manager	Represents the City in meeting with vendors, other City departments and other governmental agencies; supervises the preparation of, and/or approves all specifications and acquisition of motive parts and other materials needed for the operation of the division.	2
Associate Mechanical Engineer	Makes recommendations for the Division, detailed analysis for bids, writes bid specifications for purchase of all City motive equipment except Police and Fire.	2
Fleet Parts Buyer	Purchases a wide variety of motive and related parts, goods or commodities; and manages a motive parts storeroom.	. 2
FAC	CILITIES MAINTENANCE DIVISION	
Deputy Director	Prepares and administers budgets and manages division activities; approves and/or recommends financial decisions regarding construction/ engineering/consultant contracts, procurement of materials and equipment.	1
Senior Building Maintenance Supervisor	Approves and recommends financial decisions concerning maintenance and building modification contracts, consultant services, and other purchases and service agreements for the division.	2
Building Maintenance Supervisor	Approves and recommends financial decisions concerning maintenance and building modification contracts, consultant services, and other purchases and service agreements for the division.	2
Construction Estimator	Approves or recommends financial decisions concerning maintenance and building modification contracts, consultant services, and other purchases and service agreements for the division.	2
Building Supervisor/Custodial	Approves and recommends financial decisions concerning maintenance and building modification contracts, consultant services, and other purchases and service agreements for the division.	2
Building Services Supervisor	Approves and recommends financial decisions concerning maintenance and building modification contracts, consultant services, and other purchases and service agreements for the division.	2 ·

Project Officer II	Approves or recommends financial decisions concerning maintenance and building modification contracts, consultant services, and other purchases and service agreements for the division.	2
Assistant/Associate Mechanical Engineer/Elevators	Approves or recommends financial decisions concerning maintenance and building modification contracts, consultant services, and other purchases and service agreements for the division.	2
Assistant Civil Engineer/General	Approves or recommends financial decisions concerning maintenance and building modification contracts, consultant services, and other purchases and service agreements for the division.	2
	PUBLISHING SERVICES	
Printing Services Supervisor	Coordinates a wide variety of print services; analyzes printing job requisitions; assesses the feasibility of in-house production and recommends the use of outside vendors when appropriate; estimates costs of printing jobs; inspects work for quality control purposes; maintains records related to operations.	2
Offset Press Supervisor	Decides whether City printing jobs are printed in-house or sent to outside vendors; places orders with pre-approved firms for materials, supplies, and services on contract; and selects appropriate outside printers or service bureaus based on price and ability to meet job requirements, including deadlines.	2
Graphic Design Supervisor	Plans, coordinates and directs graphic design activities and performs related design work; coordinates with City departments to determine the level and type of graphic services required; coordinates with Print Shop to schedule and prioritize printing services; coordinates with vendors for contracted services; evaluates new graphic systems and equipment; establishes production priorities.	2

Multimedia-Production Plans and coordinates multimedia activities and 2 performs-related-graphic-design-work; Coordinator coordinates with City departments to determine the level and type of services required; coordinates with graphic design and offset press supervision to schedule and prioritize multimedia and graphic design-services; coordinates-with-vendors for contracted services; evaluates new-graphic/multimedia-systems and equipment. STREET DIVISION Deputy Director Administers and manages the Division. 1 Approves and/or recommends financial decisions regarding construction and/or engineering contracts, procurement of materials and equipment; negotiates and/or administers agency contracts; administers grants; prepares operations, maintenance and capital improvements budgets. Supervising Management Analyst Supervises analyses and administers revenue 2 plan data, cost and budgetary data, grant and loan-requests, or agency contracts and payments. Prepares condition assessment of the City's Assistant /Associate Civil 2 street network,, represents the City in meetings **Engineer** with citizen groups, City Council, and private contractors; approves all documents, plans, specification, bidding procedures, and contract <u>awards.</u> 2 Project Officer I Represents the City in meeting with citizen groups, architects, engineers, contractors, other city departments and other governmental agencies; supervises the preparation of, and/or approves all documents, plans, specifications bidding procedures and contract awards; responsible for contract payments and management. Information Systems Analyst III Reviews and evaluates requests to automate -2 manual procedures; defines user requirements, prepares cost/benefit analysis for new systems to be developed; justifies and prioritizes new systems development for software and hardware; provides technical interpretation to department staff and private vendors, including consultants as described for department; prepares, monitors, and analyzes the department's data processing budget.

Horticulturist	Assists in developing City policies and ordinances on street tree plantings and removals; provides staff support and act as the City's liaison to the Tree Advisory Board; develops requirements and specifications for tree trimming and removal contracts; supervises contractor's work; researches and evaluates methods of reducing or preventing damage to public improvements by trees and other plantings; develops tree planting programs that include obtaining grant funding, recruitment of volunteers; reviews locations to determine best method to retain trees while protecting the public improvements (e.g. sidewalks & curbs).	2
Public Works Superintendent	Represents the city in meeting with citizen groups, architects, engineers, contractor, other city departments and other governmental agencies; supervises the preparation of, and/or approves all documents, plans, specification, bidding procedures and contract awards; responsible for contract payments and management.	. 2
Consultants	CONSULTANTS Refer to the Disclosure Category section (Exhibit B) for consultants.	3

APPENDIX B DISCLOSURE CATEGORIES

CATEGORY

DESCRIPTION

Category 1

Investments and business positions in any business entity located in or doing business with the City.

Income and gifts from sources located in or doing business with the City.

Interests in real property located in the City, including property located within a two-mile radius of any property owned or used by the City.

Category 2

Investments and business positions in a firm or business entity that supplies goods or services to the City, receives goods or services from the City, that is a tenant of the City, that is an adverse party of the City in a legal proceeding, or that is granted authority by the City to use City facilities.

Income and gifts from any person or business entity that supplies goods or services to the City, receives goods or services from the City, that is a tenant of the City, that is an adverse party to the City in a legal proceeding, or that is granted authority by the City to use City facilities.

Interests in real property owned or used by any person or business entity that supplies goods or services to the City, receives goods or services from the City, that is a tenant of the City, that is an adverse party to the City in a legal proceeding, or that is granted authority by the City to use City facilities.

Category 3

Consultants shall be included in the list of designated employees for the General Services Department and shall disclose pursuant to the broadest category in the code subject to the following limitation:

The Department Director may determine in writing that a particular consultant, although a "designated position", is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of Interest Code.

APPENDIX A DESIGNATED POSITIONS

<u>POSITION</u>	<u>DUTIES</u>	CATEGORY		
	ADMINISTRATION			
Director	Administers the General Services Department.	1		
Assistant Director	Assists the Director in administering the General Services Department.	1		
Supervising Management Analyst	Supervises analyses and administers revenue, cost, and budgetary data.	2		
Information Systems Analyst IV	Reviews and evaluates requests to automate manual procedures; defines user requirements, prepares cost/benefit analysis for new systems to be developed; justifies and prioritizes new systems development for software and hardware; provides technical interpretation to department staff and private vendors, including consultants as described for department; prepares, monitors, and analyzes the department's data processing budget.	2		
	COMMUNICATIONS			
Deputy Director	Prepares and administers budgets and manages division activities; approves and/or recommends financial decisions regarding construction/ engineering/consultant contracts, procurement of materials and equipment.	. 1		
Senior Communications Engineer	Prepares, recommends, or approves procurement of materials and equipment.	2		
Senior Communications Technician Supervisor	Prepares, recommends, or approves procurement of materials and equipment.	2		
FLEET SERVICES DIVISION				
Deputy Director	Prepares and administers budgets and manages division activities; approves and/or recommends financial decisions regarding construction/engineering/consultant contracts, procurement of materials and equipment.	1		
Fleet Manager	Represents the City in meeting with vendors, other City departments and other governmental agencies; supervises the preparation of, and/or approves all specifications and acquisition of motive parts and other materials needed for the operation of the division.	Ż		

001642

Associate Mechanical Engineer	Makes recommendations for the Division, detailed analysis for bids, writes bid specifications for purchase of all City motive equipment.	2
Fleet Parts Buyer	Purchases a wide variety of motive and related parts, goods or commodities; and manages a motive parts storeroom.	2
	FACILITIES DIVISION	
Deputy Director	Prepares and administers budgets and manages division activities; approves and/or recommends financial decisions regarding construction/ engineering/consultant contracts, procurement of materials and equipment.	1
Senior Building Maintenance Supervisor	Approves and recommends financial decisions concerning maintenance and building modification contracts, consultant services, and other purchases and service agreements for the division.	2
Building Maintenance Supervisor	Approves and recommends financial decisions concerning maintenance and building modification contracts, consultant services, and other purchases and service agreements for the division.	2
Construction Estimator	Approves or recommends financial decisions concerning maintenance and building modification contracts, consultant services, and other purchases and service agreements for the division.	2
Building Supervisor/Custodial	Approves and recommends financial decisions concerning maintenance and building modification contracts, consultant services, and other purchases and service agreements for the division.	2
Project Officer II	Approves or recommends financial decisions concerning maintenance and building modification contracts, consultant services, and other purchases and service agreements for the division.	2
Assistant/Associate Mechanical Engineer/Elevators	Approves or recommends financial decisions concerning maintenance and building modification contracts, consultant services, and other purchases and service agreements for the division.	2
Assistant Civil Engineer/General	Approves or recommends financial decisions concerning maintenance and building modification contracts, consultant services, and other purchases and service agreements for the division.	2

	PUBLISHING SERVICES	
Printing Services Supervisor	Coordinates a wide variety of print services; analyzes printing job requisitions; assesses the feasibility of in-house production and recommends the use of outside vendors when appropriate; estimates costs of printing jobs; inspects work for quality control purposes; maintains records related to operations.	2
	STREET DIVISION	
Deputy Director	Administers and manages the Division. Approves and/or recommends financial decisions regarding construction and/or engineering contracts, procurement of materials and equipment; negotiates and/or administers agency contracts; administers grants; prepares operations, maintenance and capital improvements budgets.	1
Assistant / Associate Civil Engineer	Prepares condition assessment of the City's street network,, represents the City in meetings with citizen groups, City Council, and private contractors; approves all documents, plans, specification, bidding procedures, and contract awards.	2
Project Officer I	Represents the City in meeting with citizen groups, architects, engineers, contractors, other city departments and other governmental agencies; supervises the preparation of, and/or approves all documents, plans, specifications bidding procedures and contract awards; responsible for contract payments and management.	
Information Systems Analyst III	Reviews and evaluates requests to automate manual procedures; defines user requirements, prepares cost/benefit analysis for new systems to be developed; justifies and prioritizes new systems development for software and hardware; provides technical interpretation to department staff and private vendors, including consultants as described for department; prepares, monitors, and analyzes the department's data processing budget.	2
Horticulturist	Assists in developing City policies and ordinances on street tree plantings and removals; provides staff support and act as the City's liaison to the Tree Advisory Board; develops requirements and specifications for tree trimming and removal contracts; supervises contractor's work; researches and evaluates methods of reducing or preventing damage to public improvements by trees and other plantings; develops tree planting programs that include obtaining grant funding, recruitment of volunteers; reviews locations to determine best method to retain trees while protecting the public	2

method to retain trees while protecting the public improvements (e.g. sidewalks & curbs).

001644

Public Works Superintendent	Represents the city in meeting with citizen groups, architects, engineers, contractor, other city departments and other governmental agencies; supervises the preparation of, and/or approves all documents, plans, specification, bidding procedures and contract awards; responsible for contract payments and management.	
Consultants	CONSULTANTS Refer to the Disclosure Category section (Exhibit B) for consultants.	;

APPENDIX B DISCLOSURE CATEGORIES

CATEGORY

DESCRIPTION

Category 1

Investments and business positions in any business entity located in or doing business with the City.

Income and gifts from sources located in or doing business with the City.

Interests in real property located in the City, including property located within a two-mile radius of any property owned or used by the City.

Category 2

Investments and business positions in a firm or business entity that supplies goods or services to the City, receives goods or services from the City, that is a tenant of the City, that is an adverse party of the City in a legal proceeding, or that is granted authority by the City to use City facilities.

Income and gifts from any person or business entity that supplies goods or services to the City, receives goods or services from the City, that is a tenant of the City, that is an adverse party to the City in a legal proceeding, or that is granted authority by the City to use City facilities.

Interests in real property owned or used by any person or business entity that supplies goods or services to the City, receives goods or services from the City, that is a tenant of the City, that is an adverse party to the City in a legal proceeding, or that is granted authority by the City to use City facilities.

Category 3

Consultants shall be included in the list of designated employees for the General Services Department and shall disclose pursuant to the broadest category in the code subject to the following limitation:

The Department Director may determine in writing that a particular consultant, although a "designated position", is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of Interest Code.

RESOLUTION NUMBER R	
DATE OF FINAL PASSAGE	

RESOLUTION ADOPTING A REVISED CONFLICT OF INTEREST CODE FOR THE GENERAL SERVICES DEPARTMENT

WHEREAS, Government Code sections 87300 and 87302 require local agencies to adopt conflict of interest codes designating positions that involve the making or participation in making of decisions which may foreseeably have a material effect on financial interests, and for each position, the financial interests which are reportable; and

WHEREAS, in compliance with Government Code section 87306.5, the City is in the midst of a required City-wide biennial review of all conflict of interest codes for which the City Council serves as code-reviewing body; and

WHEREAS, by Resolution R-303718 (approved by the City Council on May 20, 2008), the City Council directed every City department, agency, board and commission for which the City Council serves as code-reviewing body to make biennial reports and to update their conflict of interest codes as necessary; and

WHEREAS, as the City's code-reviewing body, the City Council finds it in the public interest to adopt the standard conflict of interest code promulgated by the California Fair Political Practices Commission [FPPC] in Regulation 18730, and hereby declares its intention to incorporate by reference the terms of FPPC Regulation 18730 and any amendments to that regulation duly adopted by the FPPC as part of each conflict of interest code for which the City Council has responsibility; and

WHEREAS, by Resolution No. R-302193, the City Council on December 5, 2006, approved a revised Conflict of Interest Code for the General Services Department; and

WHEREAS, the General Services Department now seeks to revise its conflict of interest code to account for restructuring, and thus to add seven positions not previously in its code; and to remove four other positions because they no longer exist in the department or do not serve in their previous capacity; and

WHEREAS, the City Council concurs that a revised Conflict of Interest Code be adopted for the General Services Department; and

WHEREAS, Government Code section 87303 provides that when a proposed conflict of interest code or amendment is approved by the code-reviewing body, it shall be deemed adopted, and, accordingly, this resolution is not subject to veto by the Mayor; NOW THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that a Conflict of Interest Code for the General Services Department is hereby adopted, consisting of standard language embodied in title 2, section 18730 of the California Code of Regulations, and any amendments to that regulation duly adopted by the Fair Political Practices Commission, with Appendix A showing designated positions and their duties, and Appendix B showing the disclosure categories.

BE IT FURTHER RESOLVED, that a copy of Appendix A and Appendix B to the Conflict of Interest Code for the General Services Department as adopted be placed on file in the Office of the City Clerk as Document No. RR-

BE IT FURTHER RESOLVED, that the persons whose positions are designated in the revised Conflict of Interest Code for the General Services Department shall file their statements

(R-2009-215)

of economic interest with the City Clerk in compliance with the schedule set forth in Government Code section 87302(b) and Fair Political Practices Commission Regulation 18730, or any amendments thereto, which set forth the deadlines for the filing of initial statements, assuming office statements, annual statements and leaving office statements.

BE IT FURTHER RESOLVED, that the statements of economic interest filed by designated persons be retained by the Office of the City Clerk and be made available for public inspection and reproduction.

BE IT FURTHER RESOLVED, that the Conflict of Interest Code for the General Services Department becomes effective upon the date of adoption of this resolution.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

Sharon B. Snivak

Deputy City Attorney

SBS:als 10/20/08 Or.Dept:General Services R-2009-215